PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Golds et al.

Examiner: Ho, U.

Serial No.:

10/716,639

Group Art Unit:

3738

Filed: November 19, 2003

Docket:

760-57RCE/CON

For:

MESH AND STENT FOR

INCREASED FLEXIBILITY

Dated: December 23, 2004

I hereby certify this correspondence is being deposited with United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450,

Alexandria, VA 22313-1450 on December 29, 2004.

Signature Kim Tillman/

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO OVERCOME A PATENT UNDER 37 C.F.R. §1.131

Sir:

- 1 I, Ellen Golds, a citizen of the United States, residing at 32 South Dr., Hastings-on-Hudson, New York, am the inventor of the above-identified application.
- 2. At the time of the invention thereof, I was an employee of Boston Scientific. The present application was assigned to Scimed Life Systems Inc. a subsidiary of Boston Scientific. I submit this Declaration to establish completion of the invention set forth in this application in the United States at a date prior to February 2, 1999, i.e. the effective date of U.S. Patent No. 6,398,803; to Layne et. al. (hereinafter the '803 patent) which was cited by the Examiner in an Office Action mailed December 17, 2002.
- 3. From the documents submitted herewith, and as set forth hereinbelow, it can be seen that the invention was completed in the Unites States before February 2, 1999, which is a date earlier than the U.S. filing date of the '803 patent. Completion of the invention prior to February 2,

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1999 is shown by conception and actual reduction to practice of the invention as evidenced by prototypes, which were made in accordance with the claimed invention.

- 4. To establish conception and reduction to practice, i.e. completion of the invention at a date prior to February 2, 1999, the following documents are being submitted as evidence:
 - A. Meadox, Boston Scientific Corporation Invention Disclosure Pages 1-3 (Exhibit A) bearing a date signed by the inventor and a date signed by a witness prior to February 2, 1999, the earliest effective filing date of the '803 patent. The Invention Disclosure describes the conception of the device according to the claimed invention and a method of making same.
 - B. Meadox, Boston Scientific Corporation laboratory notebook pages 2, 7, 9-11; Book No. SA4, (Exhibit B) bearing a date signed by the inventor and a date signed by a witness prior to February 2, 1999, the earliest effective filing date of the '803 patent. The notebook page describes the claimed invention and method of making same. Additionally, experimental results for the actual reduction to practice of the claimed device describing the actual existence of the device in question, sufficient to work for its intended purpose.
- 5. The material submitted herewith establishes that the invention was complete, i.e. conceive and reduced to practice at a date prior to February 2, 1999, the filing date of the '803 patent.
- 6. This Declaration is submitted in response to an Office Action and is therefore believed to be timely filed.
- 7. I hereby declare that all statements made herein of my own knowledge are true and that

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all statements made on information or belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATED: December 23, 2004

Ellen Golds

INVENTOR NAMES

Please include full address on back

LOCATION

EXT

DATE

Jeff Boatman, David Tseng, Ellen Golds

(AMERTICKÖRTEDISKOIKOSTURIK

Meadox Medicals

738

1. Appropriate Title of Invention:

Mesh ePTFE covering of endovascular stent grafts: methods to expose the stent knuckles

2. Summarize the device, method or process of the invention:

This invention describes methods how to expose the stent knuckles during ePTFE laminating of endovascular stent grafts. Three methods could be used to expose the knuckles:

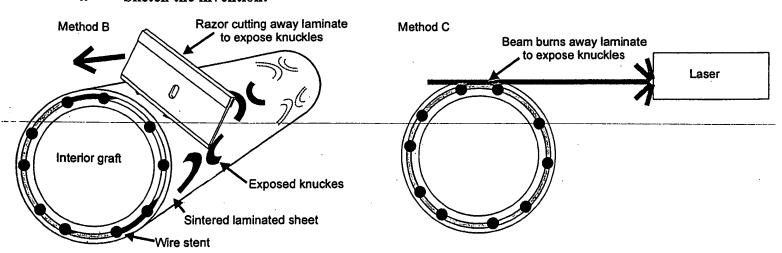
- A) After wrapping two layers of PTFE sheet on stent, a razor blade was used to slice the PTFE covering on the knuckles (1 mm length of opening), use razor blade to pull material back over bend, lift the knuckle, and insert the PTFE material under the stent knuckles. After knuckles were exposed, the stent graft assembly was sintered under sintering temperature.
- B) After stent graft assembly was sintered under 680°F temperature, a razor blade was used to scrape the PTFE covering out of knuckles. Then re-sinter the stent graft assembly under 680°F.
- C) Use a cutting laser beam to cut PTFE material around the stent knuckles. Then a non-cutting tool could lift the knuckle up and insert the PTFE material underneath.

3. Briefly describe the advantage of this invention:

Using mesh ePTFE covering on stent grafts give stent grafts more flexibility as compared to total covered stent graft. The exposed knuckles allow more freedom of movement.

The methods described here are easy to operate, easy to scale up, and less time consuming than previous methods.

4. Sketch the invention:



Meadox[®]
Boston Scientific Corporation

(Method A not shown; similar to Method B except perform before sintering)

Witness:
Read & Understood

Patricia a Murph

EllenG

KMIRTHORDISCHOSURIO

Meadox[®]
Boston Scientific Corporation

5.	What is the development stage of this invention (check all that apply)?		
	☐ Conceptual/Unwritten		
	X□ Lab Book		
	☐ Verbally Disclosed ☐ In house ☐ Out of house		
	☐ Written Disclosure or Report ☐ In house ☐ Out of house		
	X□ Prototype or Empirical Experience		
	X□ Bench □ Animal □ Clinical		
	☐ Actual Product, Method or Process		
6.	What is the current project phase?		
	☐ None; not an approved product ☐ Development		
	☐ Definition ☐ Manufacturing Scale-up		
	X□ Design		
	□ Product/To be released: Date Europe Q4'98; U.S. 2000 □ □ Product Released: Date □		
	Please indicate the product name and number, if available:		
7.	Which division is sponsoring this project?		
	☐ Medi-Tech ☐ Maple Grove		
	☐ Microvasive Endo X☐ Meadox Medicals		
	☐ Microvasive Uro ☐ Sunnyvale		
	Other		
Name	the marketing/engineering manager(s) championing this invention: Ellen Golds		
8.	Name any key physicians interested in this invention: N/A		
9.	Describe any alternate embodiments or further features that could be included with this invention. If you think that the invention could be useful for other projects or divisions, please indicate so.		

Witness: Read & Understood

Dated:____

MIDRITTO MIDISCHAOSTIRIO

10. Indicate/attach any prior art that you are aware of (please include Boston Scientific work):

A prior invention disclosure about mesh ePTFE covering of stent graft was submitted by Ellen Golds et al.

Thank you for your completed invention disclosure. Please be sure to have the disclosure witnessed by a person who understands the invention, yet who is not an inventor or involved directly with the project. Please attach any notes, samples, specifications, drawings and prior art that may assist in the development of a patent application. Your disclosure will be reviewed by the appropriate Patent Review Board and you will be notified as to the decision to pursue or further develop this invention.



Witness:
Read & Understood

Patricia a. Murph

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Project No.

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